

REMARKS

Applicants gratefully acknowledge the indication by the Examiner that claims 192-220 are allowed.

In a telephone conference on February 17, 2009 ("the telephone conference") in which Examiner Lee and Applicants' representative, Michael T. Cruz, Reg. No. 44,636, participated, the Examiner indicated that Applicant's arguments as set forth in the Response filed February 13, 2009 were deemed persuasive and that the present application is not a reissue application (i.e., a "continuation reissue application" as set forth in M.P.E.P. § 1451).

Furthermore, in the telephone conference, the Examiner made three requests to place the present application in condition for allowance.

First, the Examiner requested that Applicants amend the specification to clearly state that the present application is a "continuation of a reissue application". Applicants have complied.

Second, Applicants have cancelled, without prejudice, claims 1-191 so that only allowed claims 192-220 are pending.

Third, Applicants have enclosed a timely filed terminal disclaimer.

It is believed that the above actions requested by the Examiner place the application in condition for allowance.

Applicants do not necessarily agree or disagree with the Examiner's characterization of the documents made of record, either alone or in combination, or the Examiner's characterization of recited claim elements. Furthermore, Applicants respectfully reserve the right to argue the characterization of the documents of record, either alone or in combination, to argue what is allegedly well known, allegedly obvious or allegedly disclosed, or the characterization of the recited claim elements should that need arise in the future.

Applicants respectfully reserve the right to pursue, without prejudice, subject matter (e.g., claimed subject matter) that has been amended, withdrawn and/or cancelled in a continuing and/or related application.

U.S. Application No. 09/620,919, filed July 21, 2000

Attorney Docket No. 13470US02

Response dated February 27, 2009

In Response to Request by Examiner in Telephone Conference of February 17, 2009

With respect to the present application, Applicants hereby rescind any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer of claim scope, if any, and the alleged prior art that it was made to allegedly avoid, may need to be revisited. Nor should a disclaimer of claim scope, if any, in the present application be read back into any predecessor or related application.

In view of at least the foregoing, it is respectfully submitted that the present application is in condition for allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-listed telephone number.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: February 27, 2009

Respectfully submitted,

/Michael T. Cruz/

Michael T. Cruz

Reg. No. 44,636

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